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REMARKS

Upon entry of this Preliminary Amendment, claims 39, 41-45, 50-56, and 58-59 are pending in the present application. By this reply, claims 40, 46-49, 57 and 60-69 have been cancelled. Claims 39, 45, 51 and 56 are independent claims.

This is a continuation of U.S. Application No. 09/094,575. The claims of the present application are similar to the allowed claims of the parent case (U.S. Application No. 09/094,575). In view of the issuance of the parent case, it is believed that the present claims as amended are also allowable over the prior art of record. Accordingly, an early indication of allowance of the claims and the issuance of a Notice of Allowance are respectfully requested.

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

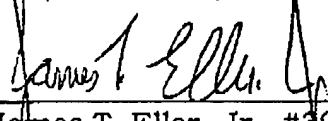
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP


By


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 40, 46-49, 57 and 60-69 have been canceled.

The claims have been amended as follows:

39. (Amended) A method for transmitting digital data, comprising:
scrambling digital data; and

transmitting the scrambled digital data, identification information, and copy prevention information as part of a data group, the data group including a header and the header including the identification information, the identification information indicating that at least a portion of the data group has a data structure for copy prevention,

wherein the scrambling step scrambles the digital data based on control data such that the control data controls a parameter of the scrambling operation.

41. (Amended) The method of claim 39 [40], wherein the transmitting step transmits the control data as part of the data group.

45. (Amended) A method for transmitting digital data, comprising:
scrambling digital data; and
recording the scrambled digital data, identification information, and copy prevention information as part of a data group, the data group including a header

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and the header including the identification information; the identification information indicating that at least a portion of the data group has a data structure for copy prevention,

wherein the scrambling step scrambles the digital data based on control data such that the control data controls a parameter of the scrambling operation.

56. (Amended) A copy protected recording medium having a data structure for controlling a copy prevention operation of a reproducing device, comprising:

a data group area including an identification area, a copy prevention area and a digital data area;

the identification area including identification information indicating that at least a portion of the data group has a data structure for copy prevention;

the copy prevention area including copy prevention information for controlling a copy prevention operation of a reproducing device; and

the digital data area including scrambled digital data,

wherein the data group area further includes a control data area,
the control data area storing control data for descrambling the scrambled digital data.

58. (Amended) The recording medium of claim 56 [57], wherein the control data area stores encrypted control data.